

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

ALVIN SHOWERS, III

PLAINTIFF

v.

CIVIL ACTION NO. 1:19-cv-323-TBM-RPM

CITY OF BAY ST. LOUIS et al.

DEFENDANTS

ORDER

The Plaintiff, Alvin Showers, III, filed suit in this Court on June 14, 2019 alleging claims under 42 U.S.C. § 1983 and various state law claims. Defendant Sheriff Ricky Adams filed a Motion for Judgment on the Pleadings [47] on August 4, 2020, which the Municipal Defendants joined on August 19, 2020. The Court granted the Motion for Judgment on the Pleadings insofar as the Plaintiff was required to file a *Schultea* reply. *See* [55]. The Plaintiff timely filed his *Schultea* reply on October 8, 2020. The Defendants timely filed their Responses on October 20, 2020.

On January 11, 2021, the Plaintiff filed a Motion for Leave to File [62] a sur-reply. Rather than allow the Court to rule on his Motion, however, the Plaintiff filed his sur-reply [63] without leave of Court that same day. The Defendants subsequently filed Motions to Strike [65] [66] the Plaintiff's sur-reply. The Court finds the Defendants' Motions well taken.

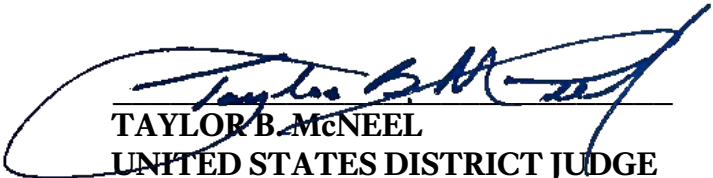
IT IS THEREFORE ORDERED AND ADJUDGED that the Defendants' Motions to Strike [65] and [66] are GRANTED.

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff's Motion for Leave to File [62] is DENIED and his sur-reply [63] is stricken.

IT IS FURTHER ORDERED AND ADJUDGED that in light of the Plaintiff's *Schultea* reply, the Defendants may renew their Motion for Judgment on the Pleadings no later than June

14, 2021. The Plaintiff must file a written response fourteen days from the date the motion is filed. The Defendants must file their reply seven days from the date the response is filed. No sur-reply from the Plaintiff will be permitted without good cause shown.

THIS, THE 11th DAY OF May, 2021.



TAYLOR B. McNEEL
UNITED STATES DISTRICT JUDGE